



***Town of Tyngsborough
Planning Board***
25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext 115

Tyngsborough Planning Board meeting Minutes February 16, 2006

Attachments: Meeting Agenda **Approved**

Members Present: Darryl Wickens, Chairman
Caryn DeCarteret, Vice Chairman
Mark Pease, Secretary
Steve Nocco, Treasurer
John Forti, NMCOG Liaison
Joyce Harrington, Clerk
John Boardman, Consulting Engineer

Meeting Purpose: To take action on agenda items (see attach agenda) and any other business brought before the Board.

7:00PM – Meeting called to order by Chairman D. Wickens

7:05PM – 2 Lot Subdivision on Althea Avenue – Whitetail Estates presented by Robert McCarthy.

The proposed Subdivision consists of construction of a roadway, drainage system and two single-family dwellings with wells and septic systems.

Mike Turgeon and James Flood, presented plans revised plans for a 2-lot subdivision to the Board. The Board reviewed the following open items with the applicant and received the following responses from the applicant's Engineer.

1. Section 6.3.7. The assessor's map and parcel needs to be added to the plans. ***Will add to revised plans.***
2. Section 6.3.19.7. The typical roadway cross-section shows sidewalks and a berm even though the applicant has requested that these items be waived. ***The applicant is requesting a waiver from a 28 ft to 24ft road way and a waiver for granite curbing and sidewalk***
3. Section 6.3.24. Closure Calculations need to be submitted. ***Submitted.***

4. Section 6.3.26 The catchbasin detail should be revised to provide a four foot sump as required by the Stormwater Management Policy. ***Shows on sheet #2.***
5. Section 6.3.29. The list of other permits required, does not include a NPDES Permit which may be required if the disturbed area is over one acre. ***Will supply a copy.***
6. Section 7.18.4.10. The proposed roadway is a dead end off of an existing dead end street. A waiver to the 500-foot maximum dead end roadway length will be required. ***Will submit waiver request.***
7. The applicant should provide soil test data to determine groundwater elevations in the area of the stormwater management basin. ***Will supply.***
8. Section 7.24.4. Requires a "catchbasin to manhole system". A manhole should be added to collect stormwater from the two catch basins prior to discharging to the pond. ***On sheet 2 (profile).***
9. The "Volume and Exfiltration Rate Calculations" within the drainage report do not appear to match the dimensions shown on the swale detail on the plans. ***Sheet # 3 will be revised.***
10. Information on the size of the proposed drywells and the groundwater elevation at the proposed drywells should be provided. ***Will supply to John Boardman.***
11. The applicant has not submitted information regarding compliance with the DEP Stormwater Management Policy and the drainage system will need to be examined for compliance by the Conservation Commission as part of the Notice of Intent Filing. ***Filed Notice of Intent with Conservation next schedule Hearing is set for March 14, 2006***
12. The applicant has not addressed fencing around the detention basin or the site distances at the intersection with the existing road as discussed at the last meeting. ***The applicant will supply a 4ft chain link fence with a grate around the Detention basin.***

Concerned Citizens: and their concerns were.

Brenda Fells 39 Althea Ave
James Vurgaropoulos 5 Trotting Park Road
Richard Malen 14 Trotting Park Road

And their concerns were the following.

Impact of the road
The rural appeal of Tyngsborough
Tree removals
Not a wide road, Dead End Street.
No Town water or Sewer
Flooding from disturbed wetland areas

The applicant has requested several waivers. It is the applicant's responsibility to demonstrate the uniqueness of this individual site and what features of the site warrant the granting of waivers. In addition the applicant should demonstrate why the waivers are in the "public interest" and not "inconsistent with the intent and purpose of the Subdivision Control Law". Section 3.6 (page 5) of the *Town of Tyngsborough Planning Board Subdivision Rules and Regulations*, outlines the procedures for the issuance of waivers.

The following Waivers were requested:

1. Sidewalk
2. Curbing
3. Pavement width
4. Waiver of a 500 ft Cul-de-sac

John Boardman, Planning Board Engineer will review the revised plans for the next Hearing.

Motion: M.Pease to continue the Public Portion of the Hearing for Althea Avenue –Whitetail Estates- to March 16, 2006 @ 7:05PM

Second: C.DeCarteret
Carries

8:05PM Special Permit 378 Middlesex Road – D.C.U. presented by Steve Auger with Hayner/Swanson, Inc

Construction of a one-story 4,722 square foot building with associated parking and site improvements. The site will have access points on Locust Avenue and Middlesex Roads. The building will have one drive-through window lane and one ATM-only drive-through lane.

TEPP LLC prepared a traffic impact and access study.

- One driveway on Middlesex Road providing for right turn in and out, and left turn in only; this driveway will replace the existing full-movement south driveway on Middlesex Road.
- Elimination of the existing north driveway on Middlesex Road
- One new full-movement driveway on the south side onto Locust Avenue about 125 feet west of the signalized intersection opposite the existing Dream Diner driveway.

M.Pease requested the following be added to the plans.

- To address this queuing, a DO NOT BLOCK INTERSECTION signs to be provided on the Locust Avenue eastbound approach to the diner driveway/proposed site driveway intersection.

- Stop signs on the proposed site driveway approaches to Middlesex Road and Locust Avenue
- A Right Turn Only sign at the proposed site driveway exit to Middlesex Road.
- The site scan stack about a dozen vehicles approaching the drive-through window.
- White pavement arrow may be provided to indicate one-way traffic along the west and south sides of the building.
- A Do Not Enter sign near the proposed dumpster pad, and near the north end of the parking stalls to the west of the building.
- A solid-white pavement making line may be provided along the center of the site access road west and south of the building to separate drive-through window traffic from bypassing or ATM traffic: pavement marking legends indication the land uses may also be provided.
- Consider repainting a double-yellow centerline along Locust Avenue
- Middlesex Road is under state jurisdiction; a Highway access permit from MassHighway is required for the proposed modification to site driveways to Middlesex Road.
- Site plan must show at least 2 sides of parking area for snow storage, ***the applicant will supply.***

John Boardman Planning Board Engineer will review the revised plans for the next Hearing.

Motion: M.Pease to continue the Public Portion of the Hearing to March 16, 2006 @ 7:35Pm

Second: C.DeCarteret

Carries:

8:35PM – Special Permit 161-163 Westford Road – Frank Shen presented by Land Tech

Mark Sleger, P.E. Engineer for Landtech presented plans revised plans for a Special Permit to the Board. The Board reviewed the following open items with the applicant and received the following responses from the applicant's Engineer

1. The westerly entrance does not comply with Zoning 3.10.41 (1) and is within 150 feet of the entrance to Wynbrook. ***M.Pease, get a ruling from Building Commissioner Mark Dupell, the Board will draft a letter to Mr.Dupell.***
2. The westerly entrance should be provided with "Do Not Enter" signs to prevent street traffic from entering. ***Added***
3. One of the maneuvering aisles in the rear parking lot is shown on the plan as being 21 feet wide, 22 feet is required. ***Made the corrections.***

Motion: M.Pease to continue the Public Portion of the Hearing to March 2 @ 9:05 PM
Second: S.Nocco
Carries

9:20PM 8 Lot Subdivision on 28 Farwell Road presented by Land Tech

1. Lot 3 should be labeled to demonstrate compliance with Zoning 2.12.30. ***Will add a label.***
2. In accordance with 6.3.23 the applicant should provide written evidence that the proposed retention pond overflow will not impact the Town or neighbor.
3. The applicant should provide closure calculations, Section 6.3.24 ***Will supply.***
4. The applicant should provide a written statement regarding street acceptance, Section 6.3.28. ***Will supply.***
5. The applicant should provide a list of other required permits, Section 6.3.29. ***Will put a list together.***
6. The Board typically requires fencing around the detention basin, none is proposed. ***4ft chain link fence will be added.***
7. The applicant should provide information on how the fire cistern will be maintained full, and filled after use. ***The applicant will follow up with the Fire Chief.***
8. The applicant needs to provide sizing, soils, and groundwater data for the proposed roof drywells and stormwater leaching areas. ***Will do testing and will provide data.***
9. The drainage system is proposed to be constructed within Farwell Ave. The applicant should indicate how this will be constructed without damage to Farwell Road, and what permits will be necessary to work within the public right of way. ***Bond requirements from Highway dept***
10. The house on Lot 4 is shown in violation of the front yard setback. ***Will change to set back requirements.***
11. The wetlands and associated buffer zones at the existing culvert in Farwell Ave should be shown on the plans. It is likely that the connection to the existing drainage system will require Conservation Commission approval. ***Will have Conservation Director Lori Capone go out and take a look.***

Motion: M.Pease to continue the Public Portion of the Hearing to March 16 @ 8:05PM
Second: C.DeCarteret
Carries:

Administrative 1 Tri Party Agreement Sleepy Hollow Subdivision – Walter Eriksen

The Board signed and accepted the Bond for Sleepy Hollow Subdivision.

Administrative 2 Review Article for revolving account

The Board agreed to submit a Warrant Article for a revolving account for the purpose of receiving advertisement fees and notification fees.

Administrative 3 Approval of Minutes

Motion: C.DeCarteret to approve the February 2, 2006 Minutes as written

Second: J.Forti

Carries:

Administrative 4 Bills

No bills

Motion: S.Nocco to adjourn at 10:30PM

Second: John Forti

Carries:

Minutes Taken and respectfully submitted by
Joyce M.Harrington – Planning Board Clerk